UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,870	01/30/2004	Yoko Hirosugi	00862.023427.	4094

5514   7590   12/15/2005

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EXAMINER
UHLENHAKE, JASON S

ART UNIT	PAPER NUMBER
2853	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/766,870	HIROSUGI ET AL.
	Examiner	Art Unit	
	Jason Uhlenhake	2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-25</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date <u>3/22/2004</u>.

4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-4, 6-11, 13-18, 21 are rejected under 35 U.S.C. 102(b) as being

anticipated by Otokita (U.S. Pub. 2003/0016259).

Otokita discloses the following:

- ***regarding claim 1***, an image forming apparatus for receiving data from a

host device (1) and forming an image (Figure 1), comprising:

- a storage unit for storing a set value (Paragraph 0011)

- transmitting unit for transmitting the set value, which has been stored in

said storage unit, in response to a request from the host device and is transferred to the

printer (Paragraphs 0060 – 0061)

- an updating unit for updating the set value, which has been stored in said

storage unit, based upon print data received from the host device (Paragraphs 0069 –

0070)

- ***regarding claim 2,*** an image forming apparatus for receiving data from a

host device (1) and forming an image (Figure 1), comprising:

- a storage unit for storing a set value (Paragraph 0011)

- notifying unit for deciding a set value of the image forming apparatus in response to an image formation request from the host device, comparing the set value decided and the set value that has been stored in said storage unit, processing the image formation request if the two set values agree and, if the two set values do not agree, notifying the host device of this fact (Paragraphs 0076 – 0078)

- *regarding claim 3,* wherein the set value that has been stored in said storage unit includes size or type or both size and type of a sheet-like medium on which an image is formed (Paragraph 0011)

- *regarding claim 4,* wherein set value that has been stored in said storage unit includes a setting of distance between an ink-jet printhead and a sheet (Paragraphs 0012, 0037)

- *regarding claim 6,* an acquisition unit for acquiring a set value from the image forming unit (Paragraph 0011)

- comparison unit for comparing a specified set value (printhead gap value) in image formation and the set value (medium type) that has been acquired by said acquisition unit, transmitting an image formation request to the image forming unit if the two set values agree and, if the two set values do not agree, displaying this fact to the user (Paragraph 0047)

- *regarding claim 7,* a storage unit for storing a set value (Paragraph 0011)

- transmitting unit for transmitting the set value, which has been stored in said storage unit, in response to a request from the host device and is transferred to the printer (Paragraphs 0060 – 0061)

- an updating unit for updating the set value, which has been stored in said storage unit, based upon print data received from information processing apparatus (Paragraphs 0069 – 0070)

- information processing apparatus comprises: an acquisition unit for acquiring a set value from said image forming apparatus (Paragraph 0011)

- comparison unit for comparing a specified set value (printhead gap value) in image formation and the set value (medium type) that has been acquired by said acquisition unit, transmitting an image formation request to the image forming unit if the two set values agree and, if the two set values do not agree, displaying this fact by a display (Paragraph 0047)

- ***regarding claim 8,*** information processing apparatus, which is connected to said image forming apparatus, for receiving notification from said image forming apparatus and displaying it on a display (Paragraph 0048, Claim # 29)

- ***regarding claim 9,*** image forming system in which a latest set value that has been stored in a printer is acquired and, if the set value differs from a set value that has been specified, this fact is reported (Paragraphs 0076 – 0078)

- ***regarding claim 10,*** method of controlling an image forming apparatus that receives data from a host device and forms an image comprising: a storage unit for storing a set value (Paragraph 0011)

- transmitting unit for transmitting the set value, which has been stored in said storage unit, in response to a request from the host device and is transferred to the printer (Paragraphs 0060 – 0061)

- an updating unit for updating the set value, which has been stored in said storage unit, based upon print data received from the host device (Paragraphs 0069 – 0070)

- ***regarding claim 11,*** method of controlling an image forming apparatus that receives data from a host device and forms an image comprising: a storage unit for storing a set value (Paragraph 0011)

- notifying unit for deciding a set value of the image forming apparatus in response to an image formation request from the host device, comparing the set value decided and the set value that has been stored in said storage unit, processing the image formation request if the two set values agree and, if the two set values do not agree, notifying the host device of this fact (Paragraphs 0076 – 0078)

- ***regarding claim 13,*** information processing method for forming an image by an image forming unit, comprising: , an acquisition unit for acquiring a set value from the image forming unit (Paragraph 0011)

- comparison unit for comparing a specified set value (printhead gap value) in image formation and the set value (medium type) that has been acquired by said acquisition unit, transmitting an image formation request to the image forming unit if the two set values agree and, if the two set values do not agree, displaying this fact to the user (Paragraph 0047)

- ***regarding claim 14,*** method of controlling a printer in which a latest set value that has been stored in a printer is acquired and, if the set value differs from a set value that has been specified, this fact is reported (0076 – 0078)

-       ***regarding claim 15,*** computer program product storing a program for controlling an image forming apparatus that forms and image (Paragraph 0051), comprising:

-       code of a storage step of storing a set value of the apparatus in storage means (Paragraph 0011)

-       code of a transmitting unit for transmitting the set value, which has been stored in said storage unit, in response to a request from the host device and is transferred to the printer (Paragraphs 0060 – 0061)

-       code of an updating unit for updating the set value, which has been stored in said storage unit, based upon print data received from information processing apparatus (Paragraphs 0069 – 0070)

-       ***regarding claim 16,*** computer program product storing a program for controlling an image forming apparatus that forms and image (Paragraph 0051), comprising:

-       code of a storage step of storing a set value of the apparatus in storage means (Paragraph 0011)

-       code of a step of deciding a set value of the image forming apparatus in response to an image formation request from the host device, comparing the set value decided and the set value that has been stored in said storage unit, processing the image formation request if the two set values agree and, if the two set values do not agree, notifying the host device of this fact (Paragraphs 0076 – 0078)

-       ***regarding claim 17,*** printing system for transmitting print settings, which

have been set by a printer driver, to a printer, said printer performing printing in

accordance with these settings (Paragraph 0054)

-       said printer driver includes an acquisition unit for acquiring print settings

that have been stored by the printer (Paragraph 0011)

-       printer includes: storage unit for storing print settings according to which

printing was performed last (Paragraph 0011)

-       transmitting unit for transmitting the set value, which has been stored in

said storage unit, in response to a request from the printer driver and is transferred to

the printer (Paragraphs 0060 – 0061)

-       ***regarding claim 18,*** an input/output system comprising a host computer

and an input/output device connected to said host computer by an interface that is

capable of bidirectional communication (Paragraphs 0039, 0055 – 0056) , wherein:

-       paper-thickness adjusting unit for dealing with thickness of paper

(Paragraphs 0013, 0037)

-       calculating unit for calculating an appropriate paper – thickness

adjustment position form information that has been transmitted from said host computer

(Paragraphs 0037, 0039; Figure 5: 139, 145)

-       storage unit for storing paper – thickness adjustment position that has

been calculated (Paragraph 0037)

-        host computer includes: a receiving unit for receiving information
indicating paper – thickness adjustment position form said input/output unit (Paragraph
0037)

-        determination unit for determining whether the information indicating paper
– thickness adjustment position is appropriate for an input/output operation sought by
an operator (Paragraph 0047)

-        *regarding claim 21,* printer capable of utilizing a plurality of types of
printing media (Paragraphs 0071 – 0072)

-        storage unit for storing a type of printing medium on which printing has
been performed (Paragraph 0011)

-        means for responding to an inquiry from a host with the type of printing
medium that has been stored in said storage unit (Paragraph 0028 – 0029)

-        host device including: an acquisition unit for inquiring about and acquiring,
from said printer, a type of printing medium that was printed on last (Paragraph 0046 –
0047)

-        display unit for displaying a confirmation message to a user if the type of
printing medium acquired by said acquisition unit and a type of printing medium set by
the user do not agree (Paragraph 0047)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otokita (U.S. Pub 2003/0016259) in view of Aritomi (U.S. Pub. 2002/0180822).

Otokita discloses:

-       ***regarding claim 5,*** a panel for displaying messages and specifying inputs (Paragraph 0048)

Otokita does not disclose expressly the following:

-       ***regarding claim 5,*** a determination unit for determining whether data received from the host device includes a confirmation command; confirmation command is determined once test printing to the plain paper ends

-       confirmation unit for displaying a message on said panel and prompting an input in response to this message if said determination unit has determined that the data includes a confirmation command

-       wherein an image is formed based upon the data if an input in response to the message is made by confirmation unit

-       ***regarding claim 12,*** a determination unit for determining whether data received from the host device includes a confirmation command; confirmation command is determined once test printing to the plain paper ends

-       confirmation unit for displaying a message on said panel and prompting an input in response to this message if said determination unit has determined that the data includes a confirmation command

-        wherein an image is formed based upon the data if an input in response to the message is made by confirmation unit

Aritomi discloses the following:

-        ***regarding claim 5,*** a determination unit for determining whether data received from the host device includes a confirmation command; confirmation command is determined once test printing to the plain paper ends (Paragraph 0077). For the purpose of displaying to the user a confirmation command.

-        confirmation unit for displaying a message on said panel and prompting an input in response to this message if said determination unit has determined that the data includes a confirmation command (Paragraph 0077). For the purpose of allowing the user to control operation of the image forming apparatus.

-        wherein an image is formed based upon the data if an input in response to the message is made by confirmation unit (Paragraph 0077). For the purpose of performing print output to a print medium on the basis of print data being transmitted.

-        ***regarding claim 12,*** a determination unit for determining whether data received from the host device includes a confirmation command; confirmation command is determined once test printing to the plain paper ends (Paragraph 0077). For the purpose of displaying to the user a confirmation command.

-        confirmation unit for displaying a message on said panel and prompting an input in response to this message if said determination unit has determined that the data includes a confirmation command (Paragraph 0077). For the purpose of allowing the user to control operation of the image forming apparatus.

-        wherein an image is formed based upon the data if an input in response to

the message is made by confirmation unit (Paragraph 0077). For the purpose of

performing print output to a print medium on the basis of print data being transmitted.

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to incorporate the teaching of a panel for displaying messages

and specifying inputs; a determination unit for determining whether data received from

the host device includes a confirmation command; confirmation command is determined

once test printing to the plain paper ends; confirmation unit for displaying a message on

said panel and prompting an input in response to this message if said determination unit

has determined that the data includes a confirmation command; wherein an image is

formed based upon the data if an input in response to the message is made by

confirmation unit as taught by Aritomi into the device of Otokita. The motivations would

have been to display to the user a confirmation command; allow the user to control

operation of the image forming apparatus; perform print output to a print medium on the

basis of print data being transmitted.

Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Otokita (U.S. Pub. 2003/0016259) in view of Naka et al (U.S. Pub. 2002/0135624).

Otokita discloses:

-        **_regarding claim 19,_** a set value is stored in a storage unit (Paragraph

0011)

Otokita does not disclose expressly the following:

-        ***regarding claim 19,*** storing an identifier for identifying a user

-        ***regarding claim 20,*** wherein the identifier is one assigned to a control

program in the host device.

Naka et al discloses:

-        ***regarding claim 19,*** storing an identifier for identifying a user (Paragraph

0175). For the purpose of identifying authorized users of the image forming apparatus.

-        ***regarding claim 20,*** wherein the identifier is one assigned to a control a

program in the host device (Paragraphs 0175 - 0177). For the purpose of controlling

the image forming apparatus in accordance with input from an authorized identifier.

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to incorporate the teaching of storing an identifier for identifying a

user; wherein the identifier is one assigned to a control program in the host device as

taught by Naka et al into the device of Otokita. The motivations for doing so would have

been to identify authorized users of the image forming apparatus; control the image

forming apparatus in accordance with input from an authorized identifier.

Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Otokita (U.S. Pub. 2003/0016259) in view of Hirasawa (U.S. Pub. 2002/0089531).

Otokita discloses:

-        ***regarding claims 22 and 23,*** determine if the type of printing medium

acquired by acquisition unit and the type of printing medium set by the user do not

agree (Paragraph 0076)

Otokita does not disclose expressly:

- *regarding claim 22,* host device sends printer a confirmation command, which is for placing said printer in a standby state

- printer includes a confirmation input unit

- printing is resumed in case where confirmation has been input by said confirmation input unit

- *regarding claim 23,* wherein host device allows the user to select whether or not to place printer in the standby state.

Hirasawa discloses:

- *regarding claim 22, ,* host device sends printer a confirmation command, which is for placing said printer in a standby state (Paragraph 0159)

- printer includes a confirmation input unit (Paragraph 0159)

- printing is resumed in case where confirmation has been input by said confirmation input unit (Paragraph 0159). For the purpose of allowing the user to control operation of the image forming apparatus.

- *regarding claim 23,* wherein host device allows the user to select whether or not to place printer in the standby state (Paragraph 0159). For the purpose of allowing the user to control operation of the image forming apparatus.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to incorporate the teaching of host device sends printer a confirmation command, which is for placing said printer in a standby state; printer includes a confirmation input unit; printing is resumed in case where confirmation has

been input by said confirmation input unit; host device allows the user to select whether

or not to place printer in the standby state as taught by Hirasawa into the device of

Otokita. The motivation for doing so would have been to allow the user to control

operation of the image forming apparatus.

Claims 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Otokita (U.S. Pub. 2003/0016259) in view of Yogome et al (U.S. Pub.

2002/0176719).

Otokita discloses:

-       ***regarding claim 24,*** type of medium on which printing was performed

last is acquired from a printer, and determines if formation of an image on a medium of

a type different from the type of the first – mentioned medium has been specified

(Paragraph 0076)

-       ***regarding claim 25,*** code for acquiring a type of medium on which

printing was performed last, the type of medium having been stored in a memory of a

printer (Paragraph 0011)

-       code to compare type of medium on which printing was performed last

and type of medium, for which image formation has been specified, stored in a memory

of a computer, and determine if the two types of media do not agree (Paragraph 0076)

Otokita does not disclose expressly:

-       ***regarding claim 24 and 25,*** outputting these facts to the user

Yogome et al discloses:

- ***regarding claim 24 and 25,*** outputting display messages for a medium

type to be printed (Paragraph 0112). For the purpose of displaying information about

the image forming apparatus.

At the time the invention was made, it would have been obvious to a person of

ordinary skill in the art to incorporate the teaching of outputting various facts to the user

as taught by Yogome et al into the device of Otokita. The motivation for doing so would

have been to display information about the image forming apparatus.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Uhlenhake whose telephone number is (571) 272-5916. The examiner can normally be reached on Monday - Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JSU
November 15, 2005

K. HIGGINS   12/05
PRIMARY EXAMINER